

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

Hao Xu

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

Alberto Gonzales, United States Attorney General, United States Department of Justice;  
Michael Chertoff, Secretary of the Department of Homeland Security;  
Emilio T. Gonzalez, Director of United States Citizenship and Immigration Services

IO: (Name and address of defendant)

Emilio T. Gonzalez  
Director  
U.S. Citizenship and Immigration Services  
425 I Street, NW  
Washington, DC 20536-0003

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Justin Fok (CSB# 242272)  
2107 N. First St., Suite 300  
San Jose, CA 95131  
Tel: (408) 437-1788  
Fax: (408) 437-9788

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE

6/27/1

  
(BY) DEPUTY CLERK

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

FILING  
ADA

Hao Xu

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

Alberto Gonzales, United States Attorney General, United States Department of Justice;  
Michael Chertoff, Secretary of the Department of Homeland Security;  
Emilio T. Gonzalez, Director of United States Citizenship and Immigration Services

C07 03383

TO: (Name and address of defendant)

Michael Chertoff  
Secretary of the Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

PVT

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Justin Fok (CSB# 242272)  
2107 N. First St., Suite 300  
San Jose, CA 95131  
Tel: (408) 437-1788  
Fax: (408) 437-9788

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE

6/29/11

Deputy Watten  
(BY) DEPUTY CLERK

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

400

E-FILING

Hao Xu

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

Alberto Gonzales, United States Attorney General, United States Department of Justice;  
Michael Chertoff, Secretary of the Department of Homeland Security;  
Emilio T. Gonzalez, Director of United States Citizenship and Immigration Services

C07

03383

TO: (Name and address of defendant)

Alberto Gonzales  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW

PVT

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Justin Fok (CSB# 242272)  
2107 N. First St., Suite 300  
San Jose, CA 95131  
Tel: (408) 437-1788  
Fax: (408) 437-9788

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE

6/27/1

*Deey Whiston*  
(BY) DEPUTY CLERK



**RETURN OF SERVICE**Service of the Summons and Complaint was made by me <sup>1</sup>

DATE 6/28/2007

Name of SERVER

Reid Davis

TITLE Law Clerk

*Check one box below to indicate appropriate method of service*☐

Served Personally upon the Defendant. Place where served:

☐

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐

Returned unexecuted:

☒

Other (specify):

Certified mail with return receipt

**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

U.S.P.S.

\$ 33.10

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

6/28/2007

Date

Signature of Server

Law Offices of Jean D. Chen  
2107 N. First Street, Suite 300  
San Jose, CA 95131

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

7006 0810 0000 7672 8626

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WASHINGTON DC 20530

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Certified Fee		2.65	
Return Receipt Fee (Endorsement Required)		2.15	
Restricted Delivery Fee (Endorsement Required)		0.00	
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>6.62</b>	

Sent To

Alberto Gonzales

Street, Apt. No.,  
or PO Box No.

950 Pennsylvania Ave, NW

City, State, ZIP+4

Washington, DC 20530-0001

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0000 7674 9003

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Return Receipt Fee (Endorsement Required)		2.15	
Restricted Delivery Fee (Endorsement Required)		0.00	
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>6.62</b>	

Sent To

Michael Chertoff

Street, Apt. No.,  
or PO Box No.

U.S. Department of Homeland Security

City, State, ZIP+4

Washington DC 20528

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0000 7672 8633

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Certified Fee		2.65	
Return Receipt Fee (Endorsement Required)		2.15	
Restricted Delivery Fee (Endorsement Required)		0.00	
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>6.62</b>	

Sent To

Office of the General Counsel

Street, Apt. No.,  
or PO Box No.

U.S. Department of Homeland Security

City, State, ZIP+4

Washington DC 20528

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0000 7672 8640

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WASHINGTON DC 20536

Postage	\$	1.82	0002
Certified Fee		2.65	
Return Receipt Fee (Endorsement Required)		2.15	
Restricted Delivery Fee (Endorsement Required)		0.00	
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>6.62</b>	

Sent To

Emilio T. Gonzalez

Street, Apt. No.,  
or PO Box No.

425 I Street, NW

City, State, ZIP+4

Washington DC 20536-0003

PS Form 3800, June 2002

See Reverse for Instructions

7006 0810 0000 7672 8657

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

SAN FRANCISCO CA 94102

Postage	\$	1.82	0002
Certified Fee		2.65	
Return Receipt Fee (Endorsement Required)		2.15	
Restricted Delivery Fee (Endorsement Required)		0.00	
<b>Total Postage &amp; Fees</b>	<b>\$</b>	<b>6.62</b>	

Sent To

United States Attorney's Office

Street, Apt. No.,  
or PO Box No.

450 Golden Gate Ave. 11th Floor

City, State, ZIP+4

San Francisco, CA 94102

PS Form 3800, June 2002

See Reverse for Instructions



**PROOF OF SERVICE BY MAILING**

I am over the age of 18 and not a party to the within action. I am an employee of the Law Offices of Jean D. Chen and my business address is:

2107 N. First St., Suite 300, San Jose CA, 95131

On 6/28/07 I served:

- 1) **Summons in a Civil Action;**
- 2) **Plaintiff's original complaint for writ in the nature of mandamus and declaratory judgment under 28 U.S.C. § 1361;**
- 3) **Order setting initial case management conference and ADR deadlines; contents of joint case management statement; Standing order for civil practice in cases assigned for all purposes to Magistrate Judge Patricia V. Trumbull;**

on the persons or entities named below, for the case Xu v. Gonzales (C07-03383 PVT), by placing said documents in an envelope, which was then sealed, with postage fully paid and addressed as follows:

Alberto Gonzales  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Michael Chertoff  
Secretary of the Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Emilio T. Gonzalez  
Director  
U.S. Citizenship and Immigration Services  
425 I Street, NW  
Washington, DC 20536-0003

United States Attorney's Office  
450 Golden Gate Avenue  
11th Floor  
San Francisco, CA 94102

Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, DC 20528

1 Date of mailing: 6/28/07 Place of mailing: San Jose, California.

2 I declare under penalty of perjury under the laws of the United States of America that the  
3 forgoing is true and correct.

4  
5  
6 Executed this 6/28/07 at San Jose, California

A handwritten signature in black ink, appearing to read 'Reid M. Davis', with a horizontal line drawn underneath the signature.

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8 Reid M. Davis  
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